REMARKS/ARGUMENTS

This paper is in response to the non-final Office Action of August 2, 2005. The due date for response extends to November 2, 2005. Applicants thank the Examiner for his careful review of this application. Applicants amend independent claims 1 and 8 and dependent claims 2-5, 7, 9-12, and 14. Claims 15-20 have been canceled per the Examiner's restriction requirement. Applicants reserve the right to pursue the canceled claims at a later time, if desired. The amended claims introduce no new matter and are fully supported by the specification. Accordingly, Applicants respectfully request examination of pending claims 1-14.

Rejections under 35 U.S.C. § 102(b)

The Examiner rejected claims 1-14 under 35 U.S.C. § 102(b) as being anticipated by Sharpe et al. Patent No. 6,094,600. This rejection is traversed, and Applicants request reconsideration.

In contrast with the recited features in independent claims 1 and 8 as amended herein, Sharpe et al. does not disclose that its "system" provides an abstraction layer (i.e., logical device manager) that interfaces with an application; allowing the application to request communications access to the physical devices connected to the system by "device type" (See Applicants' specification pgs. 14-16 and FIG. 4). Specifically, there is no disclosure in Sharpe et al. for an abstraction layer that enables an application to utilize a generic descriptor for a device type (i.e., logical name) to communicate with a physical device connected to the "system" as claimed by the Applicants. The "system" as disclosed in Sharpe et al. is a database management system that can choose a device connected to the system only by supplying the actual "physical device name" not by supplying a generic descriptor of the "device type." If

the application code supplies an incorrect physical device name, no match will be made as there is no abstraction layer to assist in connecting the application to the physical device.

In short, Sharpe et al. does not disclose a "database management system" that includes an abstraction layer interfaced with an application program running on the system; capable of selecting a physical device connected to the system having the "device type" (i.e., logical name) indicated by the application. An application running on the system needs to be customized in advance to communicate with each specific physical device linked to the system instead of being a generic application that can interact with any physical device having the characteristics of a particular "device type." The OLE objects, device description service (DDS), device description language (DDL), and digital control interface (DCI), disclosed in Sharpe et al. simply do not replicate the function of the logical device manager as recited in the Applicants' claims.

Furthermore, the Sharpe et al. reference does not disclose that the "database management system" can be used in conjunction with a telematics system as recited in the Applicants' independent claims. Specifically, the "system" as disclosed in the reference is utilized only in connection with "a process" such as a "manufacturing or refinery process" and not "interfaced with" a telematics system as claimed by the Applicants.

For at least the above reasons, Applicants respectfully submit that Sharpe et al. fails to anticipate Applicants' independent claims 1 and 8 and the claims that depend, directly or indirectly, from them. Applicants respectfully requests this rejection be withdrawn and that claims 1-14 be allowed.

Additionally, Applicants respectfully submit that the invention as claimed cannot be rendered obvious by the combined teachings of the <u>Sharpe et al.</u> reference with the art cited by the Examiner, but not relied on by the Examiner. There is simply no suggestion or motivation for a person having ordinary skill in the art to combine the teachings from the art of record with the <u>Sharpe et al.</u> reference to arrive at the invention claimed.
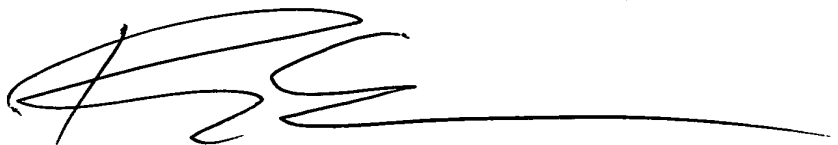
SUMMARY

In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact Roger C. Kuan at (408) 774-6927.

If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP153). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP

Roger C. Kuan, Esq.
Reg. No. 56,558

MARTINE PENILLA & GENCARELLA, LLP
710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
Tel: (408) 749-6900
Customer No. 32,291